

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MARCIACOHEN,)
Plaintiff)
)
v.) C.A. NO. 10-cv-10002-MAP
)
STATE OF NEW YORK, ET AL.,)
Defendants)

MEMORANDUM AND ORDER RE:
REPORT AND RECOMMENDATION WITH REGARD TO
DEFENDANTS' MOTION TO DISMISS OR TRANSFER
(Dkt. Nos. 17 & 23)

October 28, 2010

PONSOR, D.J.

This is a pro se complaint against four New York governmental entities. Three of the four Defendants moved to dismiss or, in the alternative, to transfer the case to the United States District Court for the Northern District of New York, pursuant to 28 U.S.C. §§ 1404(a) and 1406(a). The fourth Defendant filed an answer but also sought transfer to New York.

The parties' motions were referred to Magistrate Judge Kenneth P. Neiman for a report and recommendation.

On October 4, 2010, Judge Neiman issued his Report and Recommendation, to the effect that the case should be transferred to the Northern District of New York. On October 25, 2010, Plaintiff indicated her assent to the transfer (Dkt. No. 24).

Having reviewed the substance of the Report and Recommendation and finding it meritorious, and upon Plaintiff's assent, the court, upon de novo review, hereby ADOPTS the Report and Recommendation (Dkt. No. 23). Based upon this, the court hereby ALLOWS Defendants' Motion to Transfer Venue to the Northern District of New York (Dkt. No. 17). The clerk will make arrangements to transfer all necessary documents. The case, as it exists in this court, may now be closed.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
U. S. District Judge